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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANGELLI MELLIZA,

Plaintiff,

vs.

CAPITAL ONE BANK (USA) N.A.,

Defendant.

Case No.: 2:18-cv-02091-JCM-PAL

**STIPULATION AND ORDER TO  
CONTINUE DEADLINE FOR  
DEFENDANT CAPITAL ONE BANK  
(USA), N.A.'S TO RESPOND TO  
COMPLAINT**

(FIRST REQUEST)

Defendant, Capital One Bank (USA), N.A. ("Capital One"), by and through its counsel of record Armstrong Teasdale LLP, and Plaintiff Angelli Melliza ("Plaintiff"), by and through her counsel of record, Higbee & Associates, hereby stipulate and agree, subject to this Court's approval, to continue the deadline for Capital One to answer or otherwise respond to the Complaint filed on October 31, 2018 (ECF No. 1), from January 2, 2019, to January 16, 2019, as Capital One requires additional time to investigate the allegations in the Complaint and prepare an appropriate response to same. This is the first request to continue this deadline.

Plaintiff filed her Complaint on October 31, 2018. ECF No. 1. On November 14, 2018, Capital One executed a Waiver of the Service of the Summons, which was filed on November 16, 2018. ECF No. 6. Capital One's current response deadline is January 2, 2019.

Good cause exists for the short continuance of the deadline for Capital One to answer or otherwise respond to the Complaint. Capital One requires additional time to investigate the allegations in the Complaint so that it may prepare an appropriate response to the same. Plaintiff has

1 agreed to the short continuance. This stipulation is made in good faith and not for purposes of delay  
2 or any other improper purpose.

3 The parties, therefore, stipulate and request that the Court enter an order approving the  
4 continuance of Capital One's deadline to answer or otherwise respond to the Complaint from  
5 January 2, 2019, to **January 16, 2019**.

6  
7 DATED this 31<sup>st</sup> day of December, 2018.

DATED this 31<sup>st</sup> day of December, 2018.

8 **HIGBEE & ASSOCIATES**

**ARMSTRONG TEASDALE LLP**

9 By: /s/ Mathew K. Higbee

By: /s/ Michelle D. Alarie

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14 *Attorney for Plaintiff Angelli Melliza*

*Attorneys for Defendant Capital One Bank  
(USA), N.A.*

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17 **IT IS SO ORDERED.**

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20 UNITED STATES MAGISTRATE JUDGE

21 DATE: January 4, 2019